

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Lynchburg Division

STUDENT A, STUDENT B, STUDENT )  
C, and STUDENT D, individually and on )  
behalf of all others similarly, )

Plaintiffs, )

v. )

Case No. 6:20-cv-00023-NKM

LIBERTY UNIVERSITY, INC., d/b/a/ )  
LIBERTY UNIVERSITY, )

Defendant. )

**DEFENDANT LIBERTY UNIVERSITY, INC., d/b/a LIBERTY UNIVERSITY'S**  
**MOTION TO DISMISS**

Defendant Liberty University, Inc., d/b/a Liberty University (“Liberty” or the “University”), by counsel, and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, moves to dismiss the First Amended Complaint (ECF No. 17) filed by anonymous Plaintiffs Student A, Student B, Student C, and Student D, individually and on behalf of all others similarly situated (collectively, “Plaintiffs”) for failure to state a claim upon which relief can be granted. Plaintiffs’ claims lack the necessary factual allegations plausibly suggesting that the University committed any wrongdoing causing Plaintiffs’ alleged injuries. As such, and pursuant to the Supreme Court’s decisions in *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007), Plaintiffs’ factual allegations, even when accepted as true, are insufficient to state a claim for relief that is plausible on its face.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law, Liberty respectfully requests that the Court grant its Motion to Dismiss, dismiss Plaintiffs’ First

Amended Complaint with prejudice, and award Liberty its costs and such further relief that the Court deems proper.

Respectfully submitted,

**LIBERTY UNIVERSITY, INC.,  
d/b/a LIBERTY UNIVERSITY**

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**CERTIFICATE OF SERVICE**

I certify that on June 15, 2020, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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